

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3                   - - -

4  
5                   NEAL MILLER and DONNA       :  
6                   MILLER, Individually       :  
7                   and as Administrators       :  
8                   of the Estate of RYAN       :  
9                   MILLER,                       :  
10    :  
11                   Plaintiffs,                NO. 2:20-cv-06301-ER  
12    :  
13                   vs.                        :  
14    :  
15                   CITY OF PHILADELPHIA,       :  
16                   et al.,                       :  
17    :  
18                   Defendants.                :  
19  
20  
21  
22  
23  
24

15                   The video conference deposition of  
16                   OFFICER CHRISTOPHER SAVINO on Wednesday, May 10,  
17                   2023, commencing at 11:14 a.m. before Natalie J.  
18                   Goldhill, a Professional Reporter and a Notary  
19                   Public in and for the Commonwealth of Pennsylvania.

## 1 A P P E A R A N C E S :

2  
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## I N D E X

WITNESS

PAGE

OFFICER CHRISTOPHER SAVINO

### Examination by Mr. Levin

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### Examination by Mr. Kane

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- - E X H I B I T S - -

EXHIBIT NUMBER	DESCRIPTION	PAGE MARKED/ REFERENCED
Plaintiffs 1	Internal Affairs Investigation Materials	23/9



Deposition of Officer Christopher Savino

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1 BY MR. LEVIN:

2 Q. All right. Let's get started. Can  
3 you please state your full name?4 A. Police Officer Christopher Savino,  
5 S-A-V, as in Victor, I-N-O. Badge number is 5458.6 Q. You're currently employed with the  
7 Philadelphia Police Department?

8 A. Yes.

9 Q. In what capacity?

10 A. I'm a truck enforcement officer  
11 assigned to the traffic district.

12 Q. How long have you had that position?

13 A. Eight years now.

14 Q. Can you sort of take me through your  
15 history with the police department?16 A. Sure. I started the police academy in  
17 December of 1997. I spent a year in Center City  
18 walking foot beat. In July of 1999, I was  
19 transferred to the 24th district and I worked there  
20 just as a regular patrol officer until November of  
21 1995 when I got transferred to the traffic unit. I  
22 got federally certified as a DOT enforcement  
23 officer, truck enforcement officer, in May of 2014.

24 Q. Okay. Have you ever been certified as

1 an accident reconstructionist?

2 A. I am one class short of being a fully  
3 certified accident reconstructionist.

4 Q. Go for it.

5 A. I am. I'm waiting.

6 Q. I'd like to talk about the incident  
7 that occurred May 7, 2019 that you were involved in  
8 investigating.9 Since we're going to be discussing the  
10 police report, I'm going to try to throw that up on  
11 the screen so we can refer to it.

12 A. Okay.

13 Q. Just so I'm clear for the record, the  
14 police report -- and this is the one that you  
15 prepared. Is that correct, sir?

16 A. Yes, sir.

17 Q. It begins on Page 142 of the document  
18 package that we have marked for today's deposition  
19 as Plaintiff's Exhibit 1. The entire report runs to  
20 -- it looks like Page 149 is the last page.21 Now, first off, do you have any  
22 independent recollection of this incident aside from  
23 your review of the police report?

24 A. Yes.

1 Q. Okay. Just off the top of your head,  
2 tell me what you remember independently.3 A. I received a phone call. Well, first,  
4 it was a radio call. Then it was a phone call from  
5 Officer Joseph Wolk who was a highway patrol officer  
6 stating there was a tractor trailer and a, for lack  
7 of a better term, dirt bike involved in an auto  
8 accident and it was a fatal accident on the 5400  
9 block of Tacony Street in the Tacony section of  
10 Philadelphia.11 Q. Okay. So, first, it was a radio call.  
12 Did the radio call come from officer Wolk?13 A. No. I'm a federally certified DOT  
14 officer. So any auto accidents involving commercial  
15 motor vehicles that have injuries and/or towing  
16 involved, we are by directive supposed to respond.17 Q. Okay. You mentioned you also got a  
18 telephone call directly from Officer Wolk?

19 A. Yes.

20 Q. Okay. What did he relate to you in  
21 that telephone call?22 A. Just that it was going to be a fatal  
23 accident. It was very short and sweet.

24 Q. Did you know Officer Wolk prior to

1 that phone call?

2 A. Yeah, from the job. We both have been  
3 on the job a long time.4 Q. Okay. The two of you, do you have any  
5 relationship outside just your work relationship?  
6 Are you friends? Have you socialized?

7 A. No.

8 Q. Did he have the number to reach you on  
9 your cell phone or how did that come in?10 A. I gave it to him over the police  
11 radio.12 Q. So when that call came in over the  
13 radio is when you provided your number and he  
14 contacted you directly to fill you in?

15 A. Yes, sir.

16 Q. All right, fair enough. Where were  
17 you when you got the call?

18 A. I was in South Philadelphia.

19 Q. So you had to basically go across the  
20 city to get to the scene. Correct?

21 A. Yes, sir.

22 Q. All right. The report, does this  
23 reflect your arrival time?

24 A. Yes, sir.

1 Q. So dispatch was at 19:47 and you  
2 arrived, impressive, at 8:00.

3 A. Lights and sirens. At that time of  
4 night, there's not really that much traffic and the  
5 lights and sirens definitely help.

6 Q. Absolutely. You're listed as the  
7 investigator here. You've already provided your  
8 badge number. So all of that information is on the  
9 report. Correct?

10 A. Yes, sir.

11 Q. And the reviewer is William Stermel.  
12 Superior?

13 A. He was the truck sergeant. He's no  
14 longer -- he's about to retire.

15 Q. Okay. So you arrived at the scene.  
16 Do you recall what the lighting conditions were like  
17 at the time you got there?

18 A. I'm sorry?

19 Q. Do you recall what the lighting  
20 condition were like? Was it still daylight when you  
21 got there?

22 A. It was dusk. It was definitely  
23 darker.

24 Q. Okay. Tell me what you did when you

Page 13  
1 got to the scene.

2 A. When I arrived on location, I saw a  
3 blanket -- not a blanket, but a -- for lack of a  
4 better word, a blanket on the ground covering what  
5 appeared to be a body.

6 I spoke to -- the first person I  
7 believe I spoke to was the operator of the tractor  
8 trailer. I didn't interview him at the time. I  
9 just asked him if he was okay, if he was injured or  
10 anything like that. I went and I actually saw the  
11 body underneath the blanket.

12 Q. Okay.

13 A. And then -- I'm sorry, go ahead.

14 Q. Okay. In terms of -- I hate to get  
15 into the subject matter, but obviously you were on  
16 the scene. When you observed the body under the  
17 blanket, tell me what you saw.

18 A. Very, very bad crash. It was quite a  
19 scene. I didn't know at the time if it was a male  
20 or female because it was such -- because of the  
21 severity of the injuries.

22 Q. My understanding was it was head  
23 trauma?

24 A. Very much so, yes.

1 Q. The scooter that had been involved in  
2 the incident, was that still in its final resting  
3 position at that point in time?

4 A. Yes. As far as I know, yes, it was.

5 Q. Okay. And the tractor trailer that he  
6 collided with, was that also pretty much at the  
7 point of rest after impact?

8 A. Yes, it was.

9 Q. Okay. So both vehicles, stayed the  
10 same, body was in its location where it was.  
11 Nothing had been altered prior to your arrival?

12 A. No.

13 Q. Were there any other officers on the  
14 scene when you got there?

15 A. There was a few 15 district officers  
16 there, yes. They were the initial responding  
17 officers.

18 Q. Okay. By the way, I'm sorry that you  
19 had to go through what you went through  
20 investigating this. It's pretty brutal.

21 So you initially spoke to the driver,  
22 just asked if he was okay. I'm assuming you also  
23 took his information and took his account of the  
24 incident while you were there?

1 A. One of the 15th district officers had  
2 his information already and they handed it off to  
3 me.

4 Q. Okay. Did you interview the driver  
5 regarding the facts of the incident or was that just  
6 stuff that was provided to you, as well?

7 A. I interviewed him in reference to what  
8 happened.

9 Q. Okay. Just going through the fields  
10 in the report. In terms of weather conditions, you  
11 have listed here no adverse conditions. It was a  
12 clear day is my understanding?

13 A. It started pouring about an hour after  
14 I was there. At the time of the accident, it was  
15 clear.

16 Q. Okay. There was no construction in  
17 the area. Is that fair?

18 A. Yes.

19 Q. I know that this -- well, we'll get to  
20 this later on. The actual location of the  
21 collision, it was at the intersection of Tacony and  
22 Fraley Street?

23 A. Yes, sir.

24 Q. Based upon your investigation and what

<p>1 you were able to observe at the scene, what you  2 heard from the truck driver, the scooter rider was  3 coming down Fraley toward Tacony and struck the  4 tractor trailer?</p> <p>5 A. The rear two axles of the tractor  6 trailer. Yes, sir.</p> <p>7 Q. The very rear portion of the truck?</p> <p>8 A. Yes.</p> <p>9 Q. Was there any type of visible  10 indication of the location of the impact on the body  11 of the trailer?</p> <p>12 A. There was blood on the fourth axle.  13 The outer tire right side of the fourth axle.</p> <p>14 Q. Okay. Not to get morbid, but were any  15 photographs taken of that?</p> <p>16 A. I believe -- I don't know in all  17 honesty.</p> <p>18 Q. All right. It looks like you also put  19 in GPS coordinates of the actual location of the  20 crash?</p> <p>21 A. The track system does that  22 automatically for us.</p> <p>23 Q. Okay. You also checked into the  24 functioning of the traffic signal at that</p>	Page 16	<p>1 determine --</p> <p>2 A. Yes, sir.</p> <p>3 Q. Do you know if either of his parents  4 or any family members were at the scene during the  5 time you were there?</p> <p>6 A. I did not speak to them. I don't know  7 about the mother, but I know the father showed up  8 there at some point, but he was not able to get to  9 the scene because we had everything shut down. I  10 didn't want him to come up there, anyway. You don't  11 want to see your son like that.</p> <p>12 Q. No. Now going down further, and this  13 may be the witness that you were talking about, on  14 what's marked as Defense 145, there's a box for  15 witnesses down at the bottom of the page and you  16 have an individual named Gary Bove listed as a  17 witness.</p> <p>18 A. Yes, sir.</p> <p>19 Q. Is that the person you spoke to?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Do you have a recollection of what he  22 told you?</p> <p>23 A. He stated to me that he observed  24 defendant -- not the defendant, I apologize. The</p>	Page 18
<p>1 intersection to determine it was functioning  2 properly?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. How long were you at the scene  5 until the time your investigation was concluded and  6 you left?</p> <p>7 A. Probably approximately three hours.</p> <p>8 Q. Ultimately, it was determined that the  9 operator of the scooter proceeded through a red  10 light and struck the body of the trailer. Is that  11 correct?</p> <p>12 A. There was a witness on location that  13 stated that to me, yes.</p> <p>14 Q. Okay. Obviously, you have the rider  15 of the scooter identified here as Ryan Miller.</p> <p>16 A. Yes, sir.</p> <p>17 Q. My client's child. At the time, were  18 you able to ascertain who he was or anything of that  19 nature? How did that information come your way?</p> <p>20 A. As I stated prior, I didn't know if it  21 was a male or female when I first got there. Mr.  22 Miller's wallet was found not too far away from his  23 person and there was a school ID card.</p> <p>24 Q. Picture ID and you were able to</p>	Page 17	<p>1 driver. It's such a force of habit, I apologize.  2 The driver of the motorbike, Mr. Miller, traveling  3 eastbound on Fraley and he went through a steady red  4 light and made contact with the rear of the trailer.</p> <p>5 Q. Did Mr. Bove give you any indication  6 that he had had any type of interaction with the  7 scooter rider prior to the collision?</p> <p>8 A. No.</p> <p>9 Q. Okay. He said it was just something  10 that he witnessed?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Did he volunteer any additional  13 information saying he wasn't involved, anything of  14 that nature?</p> <p>15 A. Not to me.</p> <p>16 Q. Did you take any type of formal  17 written statement from him or provide him with a  18 form to provide a formal written statement?</p> <p>19 A. No, sir.</p> <p>20 Q. In other documents in this case, I've  21 seen an accident investigation interview form that  22 was filled out by Mr. Bove. Was that given to him  23 by somebody?</p> <p>24 A. That was somebody else. Yes, sir.</p>	Page 19

<p>1 Q. Okay. You're not part of the accident 2 investigation division. Correct? 3 A. No, sir. Correct, sir. 4 Q. Did you have any conversation with 5 Officer Wolk at the scene? 6 A. Officer Wolk just told me that he 7 tried to stop him, stop Mr. Miller on his dirt bike 8 because he was driving southbound on Tacony Street 9 at a high rate of speed. Mr. Miller took off and 10 then he lost him in the area and he couldn't find 11 him. 12 Q. Okay. He didn't indicate anything 13 about pursuing him through the neighborhood or 14 anything? 15 A. No, sir. 16 Q. Okay. Is there anybody else you spoke 17 to at the scene that gave you any information that 18 helped you in the preparation of your report? 19 A. Just the operator of the tractor 20 trailer, Mr. Espinosa. 21 Q. Okay. What did he tell you? 22 A. He stated to me that he was driving 23 his tractor trailer, which was intermittently on 24 southbound Tacony Street, in the right lane going</p>	Page 20	<p>1 Q. Okay. Are there any type of 2 photographs or handwritten materials which you're 3 aware of that would have been retained in connection 4 with this investigation? 5 A. No, sir. 6 Q. All right, sir. I don't think I have 7 anything else. Your attorney may, but probably 8 doesn't. 9 BY MR. KANE: 10 Q. I have just one question. Officer, 11 you were in the truck enforcement division? 12 A. I'm in the traffic unit. I'm a truck 13 enforcement officer assigned to the traffic unit or 14 traffic division. 15 Q. Were there any other truck enforcement 16 officers working the night of this accident to your 17 knowledge? 18 A. No, sir. I was the only one. 19 Q. That's my only question. 20 MR. LEVIN: Thank you, sir. I 21 appreciate your time. 22 THE WITNESS: Thank you. 23 (Witness excused.) 24 (Deposition concluded at 11:33 a.m.)</p>	Page 22
<p>1 through a steady green light at the intersection of 2 Fraley Street when he saw something out of the 3 corner of his right eye. He looked in his rearview 4 mirror and he saw a body rolling around. 5 Q. So he saw some motion and then he saw 6 basically the aftermath? 7 A. Yes, sir. 8 Q. Obviously, he's in a very large 9 vehicle and the vehicle wasn't really affected other 10 than the blood staining you mentioned. Correct? 11 A. Yes, sir. 12 Q. Any other people in the vicinity who 13 had mentioned that they had seen anything to you? 14 A. No, sir. 15 Q. In terms of your process for preparing 16 this report, do you gather handwritten notes and 17 then later put it into this form? 18 A. No. I actually typed it right on 19 there from the operator's mouth because I was there 20 for so long. I can talk to him and type at the same 21 time. 22 Q. Okay. That can be from, what, a 23 terminal in your cruiser? 24 A. My computer in the cruiser. Yes, sir.</p>	Page 21	<p>1 (Whereupon the document was post-marked, for 2 identification purposes, as Plaintiffs 1.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	Page 23

1 C E R T I F I C A T E  
23 I, Natalie J. Goldhill, a Court Reporter  
4 and Notary Public, Chester County, Pennsylvania, do  
5 hereby certify that the witness was by me first duly  
6 sworn to testify to the whole truth and that the  
7 above deposition was recorded stenographically by me  
8 and was transcribed by means of computer-aided  
9 transcription under my personal direction and that  
10 the said deposition constitutes a true record of the  
11 testimony given by said witness.12 I further certify that I am not a relative  
13 or employee of any of the parties, a relative or  
14 employee of any attorney involved in this action, or  
15 financially interested directly or indirectly in  
16 this action.17  
18  
19  
20 Natalie J. Goldhill, Notary Public  
21 Chester County, Pennsylvania and  
22 New Castle County, Delaware  
23  
24

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149 (1)	accidents (1)	bear (1)	computer (1)
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	automatically (1)		Derek.Kane@Phila.go

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<b>document</b> (2)	<b>fine</b> (1)	<b>history</b> (1)	<b>keep</b> (1)
<b>documents</b> (1)	<b>finish</b> (2)	<b>honesty</b> (1)	<b>know</b> (15)
<b>DONNA</b> (1)	<b>First</b> (7)	<b>hopefully</b> (1)	<b>knowledge</b> (1)
<b>DOT</b> (2)	<b>FLAGER</b> (1)	<b>hour</b> (1)	
<b>Drive</b> (1)	<b>Floor</b> (1)	<b>hours</b> (1)	<b>&lt; L &gt;</b>
<b>driver</b> (5)	<b>follows</b> (1)		<b>lack</b> (2)
<b>driving</b> (2)	<b>foot</b> (1)		<b>lane</b> (1)
<b>duly</b> (2)	<b>force</b> (1)		<b>laptop</b> (1)
<b>dusk</b> (1)	<b>foreshadowing</b> (1)		<b>large</b> (1)
	<b>form</b> (4)		<b>LAW</b> (2)
	<b>formal</b> (2)		<b>left</b> (1)
	<b>found</b> (1)		<b>LEVIN</b> (10)
	<b>fourth</b> (2)		<b>light</b> (3)
	<b>Fraley</b> (4)		<b>lighting</b> (2)
	<b>friends</b> (1)		<b>Lights</b> (2)
	<b>full</b> (1)		<b>listed</b> (3)
	<b>fully</b> (1)		<b>little</b> (2)
	<b>functioning</b> (2)		<b>location</b> (6)
	<b>further</b> (2)		<b>long</b> (4)
			<b>longer</b> (1)
			<b>look</b> (2)
			<b>looked</b> (2)
			<b>looking</b> (1)
			<b>looks</b> (3)
			<b>lost</b> (1)
			<b>&lt; M &gt;</b>
			<b>male</b> (2)
			<b>MARKED</b> (3)
			<b>Materials</b> (2)
			<b>matter</b> (2)
			<b>means</b> (1)
			<b>members</b> (1)
			<b>mentioned</b> (3)
			<b>MICHAEL</b> (3)

<b>MILLER</b> (8)	parties (2)	rate (1)	<b>S-A-V</b> (1)
Miller's (1)	patrol (2)	reach (1)	<b>SAVINO</b> (5)
mirror (1)	pegged (1)	reading (1)	saw (7)
morbid (1)	<b>PENNSYLVANIA</b> (6)	really (4)	saying (1)
morning (2)	people (2)	rear (3)	scene (12)
mother (1)	perished (1)	rearview (1)	school (1)
motion (1)	person (4)	reason (3)	scooter (5)
motor (1)	personal (1)	recall (2)	screen (4)
motorbike (1)	<b>PHILADELPHIA</b> (7)	received (1)	sealing (1)
mouth (1)	phone (5)	recollection (2)	section (1)
multiple (1)	photographs (2)	reconstructionist (2)	see (2)
<N>	Picture (1)	record (5)	seen (2)
name (2)	plaintiff (1)	recorded (1)	sergeant (1)
named (1)	Plaintiffs (4)	red (2)	severity (1)
Natalie (4)	Plaintiff's (1)	refer (1)	short (2)
nature (2)	platform (1)	reference (1)	show (2)
<b>NEAL</b> (1)	please (1)	<b>REFERENCED</b> (1)	showed (1)
need (1)	point (4)	referencing (1)	shut (1)
neighborhood (1)	police (9)	reflect (1)	side (1)
New (1)	portion (1)	regarding (1)	signal (1)
night (2)	position (2)	regular (1)	signing (1)
<b>Northbrook</b> (2)	post-marked (1)	relate (1)	sir (27)
Notary (3)	pouring (1)	relationship (2)	sirens (2)
notes (1)	preparation (2)	relative (2)	sizable (1)
November (1)	prepared (1)	remember (1)	socialized (1)
<b>NUMBER</b> (5)	preparing (1)	remotely (1)	somebody (2)
<O>	pretty (4)	repeat (2)	son (1)
objections (1)	prior (4)	rephrase (2)	sorry (6)
observe (1)	probably (4)	report (14)	sort (1)
observed (2)	proceeded (1)	<b>Reporter</b> (2)	South (1)
obviously (3)	process (1)	<b>Representing</b> (3)	southbound (2)
occurred (1)	Professional (1)	reserved (1)	speak (1)
<b>OFFICER</b> (19)	properly (1)	respective (1)	speed (1)
officers (5)	provide (2)	respond (1)	spent (1)
Okay (33)	provided (3)	responding (1)	spoke (5)
operator (3)	Public (3)	responses (1)	staining (1)
operator's (1)	purposes (1)	rest (1)	stammering (1)
outer (1)	pursuing (1)	resting (1)	started (3)
outside (1)	put (4)	retained (1)	state (2)
<P>	<Q>	retire (1)	stated (4)
P.C (1)	question (9)	review (1)	statement (2)
package (1)	questions (5)	reviewer (1)	<b>STATES</b> (1)
<b>PAGE</b> (7)	quickly (3)	rider (3)	stating (1)
parents (1)	quite (1)	right (10)	stayed (1)
<b>Parkway</b> (1)	<R>	rolling (1)	steady (2)
part (1)	radio (5)	runs (1)	stenographically (1)
	raise (1)	<b>RYAN</b> (3)	<b>Stermel</b> (1)
		<S>	<b>STIPULATED</b> (1)
			stipulations (1)

stop (2)	trauma (1)	Wolk (6)
straightforward (1)	traveling (1)	wonky (1)
Street (6)	Trevose (1)	word (1)
struck (2)	trial (1)	work (1)
stuff (1)	tried (1)	worked (1)
subject (2)	truck (8)	working (1)
Suite (1)	true (1)	written (2)
Superior (1)	truth (1)	
supposed (1)	try (1)	< Y >
Sure (1)	trying (2)	Yeah (1)
surrounding (1)	two (2)	year (1)
sweet (1)	type (5)	years (1)
sworn (2)	typed (1)	
system (1)		< Z >
< T >	< U >	Zoom (1)
Tacony (6)	Ultimately (1)	
take (4)	underneath (1)	
taken (1)	understand (4)	
talk (2)	understanding (2)	
talking (3)	unit (3)	
telephone (2)	UNITED (1)	
tell (4)	usual (1)	
term (1)		< V >
terminal (1)	vehicle (2)	
terms (3)	vehicles (2)	
testified (1)	vicinity (1)	
testify (1)	Victor (1)	
testimony (1)	video (1)	
Thank (2)	visible (1)	
thing (2)	volunteer (1)	
think (2)	vs (1)	
three (1)		< W >
throw (1)	waiting (1)	
time (15)	waived (1)	
tire (1)	walking (1)	
today (3)	wallet (1)	
today's (1)	want (3)	
told (2)	way (2)	
top (1)	weather (1)	
towing (1)	Wednesday (1)	
track (1)	well (4)	
tractor (7)	went (3)	
traffic (7)	we're (2)	
trailer (10)	William (1)	
transcribed (1)	WITNESS (9)	
transcript (1)	witnessed (1)	
transcription (1)	witnesses (1)	
transferred (2)		